

EXHIBIT 8

Nicolas Sucich

Volume I

5/21/2020

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 -----x

4 CESAR FERNANDEZ-RODRIGUEZ, ROBER GALVEZ-

5 CHIMBO, SHARON HATCHER, JONATHAN MEDINA,

6 and JAMES WOODSON, individually and on

7 behalf of all others similarly situated,

8 Petitioners,

Index No.

9 -against-

20 Civ. 3315 (ER)

10 MARTI LICON-VITALE, in her official

11 capacity as Warden of the Metropolitan

12 Correctional Center,

13 Respondent.

14 -----x

15 Remote Deposition

16 May 21, 2020

17 11:14 A.M.

18

19 Remote Deposition of Non-Party Witness,

20 NICOLAS SUCICH

21

22

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1 And nobody wanted to be isolated in the
2 SHU, so they weren't -- they knew that the only
3 treatment that they would have gotten would be
4 Tylenol and they would be locked up in the SHU.
5 So nobody wanted to do that.

6 **Q. So did the first person get sick,**
7 **Andrade, was the end of March?**

8 A. I think, I think March 27th.

9 **Q. How long did it take the medical people**
10 **to take him?**

11 A. I think he complained more and they
12 didn't take him. And then the next day when he
13 fell on the floor, they ended up taking him.

14 **Q. Okay. And so Andrade is the only**
15 **person from your tier that was removed from the**
16 **dormitory?**

17 A. I couldn't understand you, ma'am. I'm
18 sorry.

19 **Q. Was Andrade the only person in your**
20 **tier who was removed from the dormitory due to**
21 **COVID symptoms?**

22 A. Yes, ma'am.

23 **Q. Did any other inmate in your dormitory**
24 **report COVID symptoms to a medical staff?**

25 A. I did. I -- I couldn't breathe, and I

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1 told Mr. Singh on I think it was the 3rd of
2 April. I couldn't even breathe. I had to have
3 help to get to the door and talk to him, and he
4 made a very nasty comment and that was it.

5 **Q. What was that nasty comment?**

6 A. He told us that we were -- we were
7 worthless, and that we were left there to die.
8 What can he do at this time of night?

9 **Q. You said his name is Mr. Singh?**

10 A. Mr. Singh, yes.

11 **Q. Is that a corrections officer or a**
12 **medical staff?**

13 A. Medical.

14 **Q. Do you know if anyone besides yourself**
15 **reported symptoms of COVID to the medical staff?**

16 A. I know that they've had them. I don't
17 think they were -- I felt guilty because I
18 thought I was getting the COVID-19, and I didn't
19 want to pass it to everyone else, so I was a
20 little bit more mature about it. And if they
21 were going to segregate me, I would prefer to be
22 segregated instead of giving it to someone else.

23 But it didn't end up happening that way
24 because when I told him I couldn't breathe, you
25 know, he said your inhaler -- I think he told me

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